

Att#17

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Joseph R. BYRUM *et al.*

Appln. No.: 09/206,040

Filed: December 4, 1998

For: Nucleic Acid Molecules and Other
Molecules Associated with Plants

Art Unit: 2833

Examiner: Scott D. Priebe

Atty. Docket: 04983.0151.00US01/
38-21(15446)B

**Notice of Appeal from the Examiner to the
Board of Patent Appeals and Interferences**

Commissioner for Patents
Washington, DC 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated March 22, 2000, that resulted in Applicants having claims that have been twice or finally rejected.

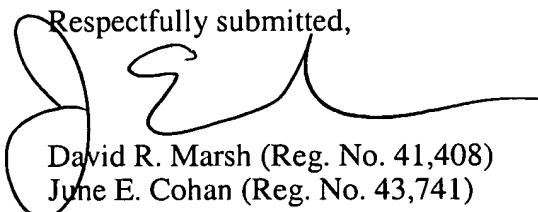
The U.S. Patent and Trademark Office is hereby authorized to charge the fee of \$300.00 for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 1.17(b)) to counsel's Deposit Account No. 08-3038 referencing docket number 04983.0151.00US01. A duplicate copy of this Notice is attached. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number 04983.0151.00US01. A duplicate copy of this Notice is attached.

10/12/2000 BDENNY 0000003 083038 09206040

01 FC:119 300.00 CH

Respectfully submitted,


David R. Marsh (Reg. No. 41,408)
June E. Cohan (Reg. No. 43,741)

Date: September 13, 2000

Of Counsel

Lawrence M. Lavin, Jr.
(Reg. No. 30,768)

Thomas E. Kelley
(Reg. No. 29,938)

Monsanto Company
800 N. Lindbergh Blvd.
St. Louis, Missouri 63167

HOWREY SIMON ARNOLD & WHITE, LLP
Box No. 34
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402
(202) 783-0800

RECEIVED
SEP 20 2000
2500 MAIL ROOM